

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No.: 5:22-CV-00068-BO

YOLANDA IRVING, individually and as the natural parent and guardian of J.I., JUWAN HARRINGTON, CYDNEEA HARRINGTON, KENYA WALTON individually and as the natural parent and guardian of R.W., ZIYEL WHITLEY, DYAMOND WHITLEY, KAMISHA WHITLEY, and NANETTA GRANT as the natural parent and guardian of Z.G.,

**DEFENDANT ROLFE'S MOTION TO  
ATTEND SETTLEMENT  
CONFERENCE BY VIRTUAL MEANS**

Plaintiffs,

VS.

THE CITY OF RALEIGH, Officer OMAR I. ABDULLAH, Sergeant WILLIAM ROLFE, Officer RISHAR PIERRE MONROE, Officer JULIEN DAVID RATTELADE, and Officer MEGHAN CAROLINE GAY, and JOHN and JANE DOE Officers 1-10, in their individual capacities,

## Defendants.

NOW COMES Defendant Sergeant William Rolfe, by and through the undersigned counsel, and respectfully requests that he be allowed to attend the upcoming Court-hosted settlement conference remotely via telephone and/or video conference. In support of this motion, the Defendant shows unto the Court the following:

1. A court-hosted settlement conference is scheduled before the Honorable United States Magistrate Judge Robert B. Jones, Jr., on Monday, August 15, 2022. The undersigned, along with the City of Raleigh's legal counsel and other representative(s) will be present in person for the mediation, as required by the Court's rules. Representatives of the City of Raleigh's insurance carrier(s) are also anticipated to attend and participate remotely.

2. Sergeant Rolfe is sworn law enforcement officer serving with the City of Raleigh's Police Department. The City and/or the City's carriers are providing a defense for Sgt. Rolfe in this matter.
3. Sgt. Rolfe's personal attendance is highly unlikely to provide any additional contribution or benefit to the settlement conference. In fact, Sgt. Rolfe has indicated that he was not even present for the incidents on Burgundy Street in Raleigh, as he was out of town on vacation at the time of the incidents at issue.
4. Given the travel distance and current COVID-19 conditions, together with the limited (or non-existent) benefit of having him attend in person, Sgt. Rolfe respectfully requests that he be allowed to participate remotely. Further, Sgt. Rolfe respectfully submits that the spirit and intent of the settlement conference can be fully and adequately met through his remote attendance, and that no party will be prejudiced by his attendance by virtual means.
5. Counsel for Defendant, Mr. Blanchard, has attempted to confer with Plaintiffs' counsel, Mr. Rubert-Schewel, but has not yet received any response about Plaintiffs' position on this request.

WHEREFORE, Defendant William Rolfe hereby requests permission to attend the settlement conference by virtual means. A proposed Order is attached.

Respectfully submitted this the 3<sup>rd</sup> day of August, 2022.

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Attorney for Defendant Sergeant William Rolfe

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on May \_\_\_, 2022, a copy of the foregoing **Motion to Attend Settlement Conference by Virtual Means** was electronically filed with the Clerk of Court using the CM/ECF system, which will serve the counsel of record as follows:

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This the 3<sup>rd</sup> day of August, 2022.

/s/Norwood P. Blanchard, III  
Norwood P. Blanchard, III